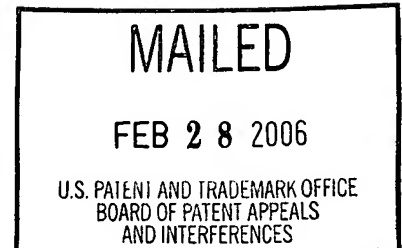


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte RONALD L. EDENS, JAMES J. HLABAN
LAURA J. KEELY, THOMAS P. KEENAN
SYLVIA B. LITTLE, MARY L. MCDANIEL
STEPHEN L. NUNN, WILLIAM G. REEVES
HEATHER A. SOREBO and SUSAN M. WEYENBERG



Application No. 10/037,276

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on February 6, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being electronically returned to the examiner. The matter requiring attention prior to docketing is identified below.

An Order Returning Undocketed Appeal was mailed on July 20, 2005 requesting the examiner to consider the Information Disclosure Statement (IDS) filed September 27, 2004. It is not apparent from the record that the examiner properly considered the IDS submitted nor notified appellants of why his submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

Application No. 10/037,276

Accordingly, it is

ORDERED that the application is returned to the Examiner for

1) consideration of the September 27, 2004 IDS, 2) written notification to appellant regarding the result of the examiner's consideration, and 3) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES



CRAIG R. FEINBERG
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CRF/eld

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